

FEDERAL AVIATION ADMINISTRATION TRAVEL POLICY
Chapter 302—Relocation Allowances

PART 302-52—ALLOWANCE FOR SETTLEMENT OF AN UNEXPIRED LEASE

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SUBPART A—GENERAL RULES

- § 302-52.1 **What is the purpose of the allowance for settlement of an unexpired lease?** To facilitate the relocation of an employee by assisting the employee to settle his/her unexpired lease at the old official station.

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§ 302-52.2	Am I eligible to receive an allowance for settlement of an unexpired lease?	Yes, if: <ul style="list-style-type: none">(a) You are an employee authorized relocation benefits for a permanent change of station under part 302-3; or(b) You are an employee authorized relocation benefits for a temporary change of station under part 302-4.
§ 302-52.3	Who is not eligible to receive an allowance for settlement of an unexpired lease?	The following are not eligible an allowance for settlement of an unexpired lease: <ul style="list-style-type: none">(a) An employee transferred to a post of duty outside CONUS;(b) A new appointee;(c) A student trainee;(d) An employee returning from an assignment outside CONUS to an assignment at his/her place of residence;(e) An employee returning from an assignment outside CONUS for separation from FAA service;(f) An employee receiving a “last move home” benefit; or(g) An employee assigned under the Government Employees Training Act (see 5 U.S.C. 4109).
§ 302-52.4	For what property will FAA pay me an allowance for settling an unexpired lease?	Only for the rental property which qualifies as your residence as defined in § 302-1.18 of this chapter.
§ 302-52.5	Must I occupy the rental property at the time I am notified of transfer?	Yes.
§ 302-52.6	Must my name or the name of a member of my immediate family appear on the lease at the time I am notified of my transfer to qualify for payment of the allowance for settling an unexpired lease?	Yes.
§ 302-52.7	What will FAA pay me for settlement of an unexpired lease?	FAA will pay your actual allowable expenses of settling an unexpired lease.

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§ 302-52.8	What are my allowable expenses under the allowance for settlement of an unexpired lease?	<p>Your allowable expenses include:</p> <ul style="list-style-type: none">(a) Fees and penalties paid to the lessor to settle your unexpired lease if:<ul style="list-style-type: none">(1) The fees/penalties are expressly provided in your lease or by state or local law or regulation;(2) You cannot avoid such fees/penalties by sublease or other arrangement; and(3) You have not contributed to fees/penalties by failing to give appropriate lease termination notice promptly after he/she has definite knowledge of the transfer; and(b) Fees or commissions paid to a broker to obtain a sublease, and charges for advertising the unexpired lease if:<ul style="list-style-type: none">(1) You will have to pay the lessor fees/penalties to the lessor for settling your unexpired lease if you do not advertise or market a sublease;(2) The broker's fees or commissions or advertising charges you pay are not in excess of those customarily charged for the locality of your rental property; and(3) You have not contributed to expense by failing to give appropriate lease termination notice promptly after he/she has definite knowledge of the transfer.
§ 302-52.9	What expenses will FAA not pay for settlement of an unexpired lease?	<p>FAA will not pay the following:</p> <ul style="list-style-type: none">(a) Refundable deposits;(b) Expenses incurred as a result of delayed notification of lease termination; and(c) Expenses of litigation related to the settlement of the unexpired lease.
§ 302-52.10	What documentation must I provide to support a claim for an allowance for settlement of an unexpired lease?	<p>You must provide:</p> <ul style="list-style-type: none">(a) A copy of your lease; and(b) A receipt, or other proof of payment, for expenses related to the settlement of an unexpired lease.

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§ 302-52.11	How is my reimbursement affected if the name of an individual other than me or a member of my immediate family appears on the lease?	You will receive reimbursement on a pro-rata basis. Your pro-rata share of the expenses will be determined by the names on the rental agreement.
§ 302-52.12	How is my reimbursement affected if I use a portion of the rental property as a residence and the another portion of the rental property for income producing activities?	You will receive reimbursement on a pro-rata basis. Your pro-rata share of the expenses will be determined by the portion of the rental property used as a residence.

SUBPART B—SETTLEMENT OF AN UNEXPIRED LEASE OF AN EMPLOYEE PERFORMING A PERMANENT CHANGE OF STATION

§ 302-52.100	Must FAA pay me an allowance for settling an unexpired lease when I perform a PCS?	<p>Yes, if:</p> <ul style="list-style-type: none">(a) You are authorized payment of relocation benefits for a PCS;(b) You lease your residence as defined in § 302-1.18 at your old official station;(c) You do not sell a residence at Government expense (either through the allowance for expenses in connection with residence transactions or homesale program);(d) You do not receive payment for property management services at Government expense;(e) Your new official station is within a nonforeign area; and(f) Your old official station is in either:<ul style="list-style-type: none">(1) A nonforeign area; or(2) A foreign area if your new official station is in a nonforeign area and is different from the nonforeign area official station you transferred from when you began your assignment(s) in a foreign area(s).
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§ 302-52.101 **Is there a limit on the amount of expenses FAA will cover when I perform a PCS?** Yes, FAA will pay your expenses not to exceed \$50,000.

SUBPART C—SETTLEMENT OF AN UNEXPIRED LEASE OF AN EMPLOYEE PERFORMING A TEMPORARY CHANGE OF STATION

§ 302-52.200 **Must FAA pay me an allowance for settling an unexpired lease when I perform a TCS?** Yes, if:

- (a) You are authorized payment of relocation benefits for a TCS;
- (b) You lease your residence;
- (c) You do not receive payment for property management services at Government expense;

§ 302-52.201 **Is there a limit on the amount of expenses FAA will cover when I perform a TCS?** Yes, FAA will pay your expenses not to exceed 3 months rent.